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Attorneys for Defendant Buenrostro

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Plaintiff,

v.

Jose Buenrostro,

Defendant.

Case No. 2:17-cr-267-APG-EJY

**Stipulation and Order to Continue
Sentencing Hearing**

Defendant Jose Buenrostro and the United States, by and through the undersigned, hereby agree and stipulate, and request an Order from this Court upon such stipulation and agreement, that the sentencing hearing in this matter, currently scheduled for December 12, 2019 at 2:00 pm, should be continued to December 20, 2019 at 2:00pm, as follows:

1. On November 6, 2019, the Department of Probation transmitted the Presentence Investigation Report (the "PSR") to counsel for both parties. On November 20, 2019, counsel for the defendant timely submitted extensive objections to the PSR.

1 2. Due to holiday travel, the Probation officer responsible for responding
2 to the defendant's objections was out of the country for a period of time. She
3 responded to the objections late in the day on December 2, 2019. She made minor
4 revisions to the PSR, but disagreed with the primary objections set forth by the
5 Defendant.

6 3. Based on a current sentencing date of December 12, 2019, the
7 Defendant's sentencing memorandum is due December 5, 2019. In light of the
8 revisions to (or failure to revise) the PSR, this leaves counsel three days to prepare
9 the sentencing memorandum and, more importantly, confer with the Defendant
10 about it. The Defendant currently is housed in Pahrump. 4. The Defendant
11 and undersigned counsel for the Defendant seek a brief extension of the sentencing
12 date to give them adequate time to confer about the content of the sentencing
13 memorandum.

14 5. Mr. Buenrostro is in custody, but does not object to this continuance.

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1 6. This is the parties' first stipulation to continue the sentencing hearing.
2 The stipulation between the parties is entered into not for purposes of delay, but to
3 provide counsel an opportunity to work through legal and factual issues relating to
4 the sentencing hearing.

5 Dated this 3rd day of December, 2019

6 NICHOLAS TRUTANICH
7 United States Attorney

8 */ s / Chris Burton*

9 _____
10 CHRISTOPHER BURTON
11 Assistant United States Attorney

/ s / Crane Pomerantz

 CRANE M. POMERANTZ
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Counsel for Defendant Buenrostro

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Plaintiff,

v.

Jose Buenrostro,

Defendant.

Case No. 2:17-cr-267-APG-EJY

Order

9 The Court, having considered the above stipulation of the parties, and good cause
10 appearing, finds as follows:

11 1. On November 6, 2019, the Department of Probation transmitted the
12 Presentence Investigation Report (the “PSR”) to counsel for both parties. On
13 November 20, 2019, counsel for the defendant timely submitted extensive objections
14 to the PSR.

15 2. Due to holiday travel, the Probation officer responsible for responding
16 to the defendant’s objections was out of the country for a period of time. She
17 responded to the objections late in the day on December 2, 2019. She made minor
18 revisions to the PSR, but disagreed with the primary objections set forth by the
19 Defendant.

20 3. Based on a current sentencing date of December 12, 2019, the
21 Defendant’s sentencing memorandum is due December 5, 2019. In light of the
22 revisions to (or failure to revise) the PSR, this leaves counsel three days to prepare

1 the sentencing memorandum and, more importantly, confer with the Defendant
2 about it. The Defendant currently is housed in Pahrump.

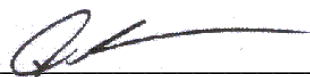
3 4. The Defendant and undersigned counsel for the Defendant seek a brief
4 extension of the sentencing date to give them adequate time to confer about the
5 content of the sentencing memorandum.

6 5. Mr. Buenrostro is in custody, but does not object to this continuance.

7 6. This is the parties' first stipulation to continue the sentencing hearing.
8 The stipulation between the parties is entered into not for purposes of delay, but to
9 provide counsel an opportunity to work through legal and factual issues relating to
10 the sentencing hearing.

11 IT IS HEREBY ORDERED that the sentencing hearing in this matter, currently
12 scheduled for December 12, 2019 at 2:00 p.m., shall be continued until December 20, 2019 at
13 2:00 p.m. in courtroom 6C.

14 IT IS SO ORDERED this 3rd day of December, 2019.

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Andrew P. Gordon
United States District Court Judge